

JOSEPH P. RUSSONIELLO (SBN 44332)
 United States Attorney
 JOANN SWANSON (SBN 88143)
 Chief, Civil Division
 ABRAHAM A. SIMMONS (SBN 146400)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7264
 Facsimile: (415) 436-6748

Attorneys for United States of America¹

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RONALD RICHMAN,)	No. C 07-5317 WHA
)	
Plaintiff,)	
)	
v.)	
)	
UNITED STATES,)	
)	
Defendant.)	

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING DEADLINE FOR
 MEDIATION/ REFERRING CASE NO. 08-
 3499 TO MEDIATION**

COUNTY OF CONTRA COSTA,)	
)	
Plaintiff,)	No. C 08-3499 WHA
)	
v.)	
)	
UNITED STATES OF AMERICA,)	
UNITED STATES DEPARTMENT OF)	
AGRICULTURE ANIMAL & PLANT)	
HEALTH INSPECTION SERVICE, PETER)	
LACY, and DOES 1 through 5, inclusive,)	
)	
Defendants.)	

Whereas, Case No. 07-5317 was filed on October 18, 2007; and

Whereas, plaintiff in Case No. 07-5317 alleges defendant United States is liable
 for personal injuries that resulted from an automobile accident that occurred on
 October 24, 2005 that plaintiff alleges was negligently caused by an employee acting

¹ The undersigned Assistant United States Attorney appears in case No. 08-3499 only for the United States of America and no other defendant.

1 within the scope of his federal employment; and

2
3 Whereas, on April 10, 2008, this Court referred case No. 07-5317 to the ADR Unit
4 for mediation; and

5 Whereas, the parties in Case No. 07-5317 stipulated to extend the original deadline
6 for mediating Case No. 07-5317 to September 8, 2008; and

7 Whereas, Case No. 08-3499 was filed on July 22, 2008; and

8 Whereas, in Case No. 08-3499 plaintiff County of Contra Costa alleges the United
9 States is liable to plaintiffs for property damage, reimbursement of workers'
10 compensation and other benefits paid by plaintiff as a result of the same October 24,
11 2005, automobile accident at issue in Case No. 07-5317; and

12 Whereas, on July 28, 2008, this Court found that Case No. 07-5317 and Case No.
13 08-3499 are related for purposes of Local Rule 3-12; and

14 Whereas no Alternative Dispute Resolution referral has yet been made in Case No.
15 08-3499;

16 Whereas on August 21, 2008, counsel for the United States, Ronald Richman and
17 Contra Costa County have engaged in negotiations with Court-appointed mediator Herb
18 Schwartz to complete certain discovery prior to October 23, 2008 and then to mediate this
19 case on October 30, 2008;

20 **It is therefore stipulated between Ronald Richman, County of Contra Costa**
21 **and the United States of America that** they shall jointly request an Order from the
22 Court extending the deadline for mediating Case No. 07-5317 to October 30, 2008, and
23 referring Case No. 08-3499 to mediation with the same mediator so that both cases may

24 ///

25 ///

26 ///

27 ///

28 ///

undergo alternative dispute resolution at the same time.

SO STIPULATED.

DATED: August 21, 2008

Brayton Purcell, LLP

By /s/
William G. McDevitt, Esq. (Of Counsel)
Attorneys for Ronald Richman

DATED: August 21, 2008

Thomas, Lyding, Cartier & Gaus, LLP

By /s/
Mark A. Cartier
Attorneys for County of Contra Costa

DATED: August 21, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

By /s/
ABRAHAM A. SIMMONS
Assistant United States Attorney
Attorneys for United States of America

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED:

Case No. 08-3499 is referred to mediation. The deadline for mediating both Case No. 07-5317 and Case No. 08-3499 is October 30, 2008. All other deadlines in the case management scheduling orders of each case shall remain in effect.

August 26, 2008

Date

Hon. William H. Alsup
United States District Judge

